

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

| | |
|--------------------------------|----------------------|
| IN THE MATTER OF ENFORCEMENT) | PDC CASE NO: 04-309 |
| ACTION AGAINST) | |
| Washington State Farm Bureau) | |
| Respondent.) | STIPULATION OF FACTS |
| _____) | AND VIOLATION |

The Washington State Farm Bureau (WSFB) (Respondent) and the Public Disclosure Commission Staff (Staff) jointly submit this Stipulation of Facts and Violation for Commission consideration in lieu of a full enforcement hearing before the Commission. The parties agree that, pursuant to RCW 42.17.360, the Commission has the authority to accept, decline, or to suggest modifications to this Stipulation. In the interest of avoiding further proceedings, the parties enter this Stipulation.

Facts

Both parties agree to the following facts:

1. WSFB is the state association for local farm bureaus in the State of Washington, and has been in existence for 85 years. WSFB is a “lobbyist employer” that has reported its activities with the Public Disclosure Commission (PDC) since the inception of the lobbyist reporting rules. WSFB was listed as the employer of seven lobbyists registered with the PDC in calendar year 2003. WSFB has also maintained a PAC since 1997. Neither WSFB nor its PAC has been the subject of enforcement proceedings before. Since the inception of the PAC, WSFB did not

- make any direct contributions to candidates or ballot measures prior to the contribution that is the subject of this enforcement proceeding.
2. During the course of responding to an unrelated complaint, filed with the PDC against WSFB in October 2003, the Respondent discovered that it had not filed a (PDC Form L-3c) a report required to be filed by lobbyist employers pursuant to RCW 42.17.180.
 3. On November 14, 2003, WSFB filed the L-3c, disclosing that it made a \$50,000 monetary contribution to Workers Against Job Killing Rules on September 22, 2003. The contribution was required to be reported by WSFB on PDC form L-3c by October 15, 2003. The contribution was reported 30 days late on November 14, 2003, ten days after the November 4, 2003 general election.
 4. On November 24, 2003, Pat Batts, Administrative Vice President of WSFB, sent a follow-up letter, and self-reported the late filing of WSFB by sending a letter to PDC, acknowledging that the L-3c contribution report was filed late. Ms. McDaniel's complaint did not allege that WSFB failed to timely file the L-3c report.
 5. The Respondent states that the \$50,000 contribution was hand-delivered to Workers Against Job Killing Rules on September 24, 2003.
 6. The contribution was reported by the recipient on PDC form C-3 on September 29, 2003.
 7. The contribution was not reported on behalf of WSFB by any of the seven registered lobbyists of WSFB (Steve Appel, Patrick Batts, Dan Fazio, Hertha

- Lund, Robyn Meenach, Mike Poulson, or Dan Wood). Thus, WSFB had a reporting obligation.¹
8. In the October 2003 *Farm Bureau News*, WSFB informed its readers that it had made a \$50,000. The contribution was also reported by the media prior to the November 4, 2003 election.
 9. Following discovery of this reporting issue, the WSFB requested and scheduled a training session for its staff members that have PDC reporting requirements. The training was conducted by PDC staff during December 2003.
 10. Staff acknowledges that the Respondent fully cooperated with the investigation and resolution of this matter. Staff agrees that no evidence was found of a willful or intentional violation.

Violation

Respondent and Staff agree that based upon the facts stipulated above, the Respondent committed a single violation of RCW 42.17.180 by failing to timely report a \$50,000 contribution it made to Workers Against Job Killing Rules on September 24, 2003.

The Respondent agrees to fully comply in good faith with all provisions of Chapter 42.17 RCW in the future.

¹ Registered lobbyists can relieve their employers of the L-3c reporting requirement by disclosing contributions on the lobbyist's monthly report. None of the lobbyists for WSFB reported the contribution made by WSFB on his or her monthly lobbyist report.

Stipulation of Facts and Violation
Case No.: 04-309

Respectfully submitted this 26th day of May, 2004.

/s/

Vicki Rippie, Executive Director

Date

/s/

John J. White, Jr.
Counsel for Respondent

Date